

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

RODNEY FRISBY #926352,

Plaintiff,

Case No. 2:22-cv-87

v.

HONORABLE PAUL L. MALONEY

UNKNOWN COBAR, et al.,

Defendants.

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ORDER ADOPTING REPORT AND RECOMMENDATION

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Defendant Physician's Assistant Haven (named Martin in the complaint) filed a motion for summary judgment. Defendants Kovar (named as Cobar in the complaint), Schilling, and Fritz also filed a motion for summary judgment. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on May 8, 2023, recommending that this Court grant the motions and enter judgment. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 34) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motions for Summary Judgment (ECF Nos. 26 and 33) are GRANTED.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. *See McGore v. Wrigglesworth*,

114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Dated: July 31, 2023

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge